

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended): A purified nucleic acid comprising a nucleotide sequence that encodes ~~a naturally occurring protein that: (a) shares at least 80% sequence identity with SEQ ID NO:2 and (b) has at least one functional activity of native~~ an XB3 protein.

2. (Currently amended): The nucleic acid of claim 1, wherein the nucleotide sequence ~~defines a polynucleotide whose complement hybridizes under high stringency conditions to the nucleotide sequence of~~ comprises SEQ ID NO:1.

3. (Original): The nucleic acid of claim 1, wherein the protein has an amino acid sequence consisting of SEQ ID NO:2.

4. (Original): The nucleic acid of claim 1, wherein the protein specifically binds to XA21.

5. (Original): A vector comprising the nucleic acid of claim 1.

6. (Original): The vector of claim 5, wherein said nucleic acid is operably linked to one or more expression control sequences.

7. (Currently amended): A cell comprising the purified nucleic acid of claim 1.

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Currently amended): A method of ~~modulating disease resistance~~ modifying a plant cell or seed, the method comprising the steps of:

- (a) providing a plant cell or seed ~~having a first disease resistance phenotype;~~
- (b) introducing into the plant cell or seed a purified nucleic acid ~~comprising a nucleotide sequence that encodes a naturally occurring protein that: shares at least 80% sequence identity with SEQ ID NO:2 and that encodes an~~ has at least one functional activity of native XB3 protein ~~to create a transformed plant cell or seed~~[[,]]

~~wherein the purified nucleic acid is selected such that it produces a second disease resistance phenotype in the transformed plant cell or seed that differs from the first disease resistance phenotype.~~

20. (Currently amended): The method of claim 19, wherein the ~~naturally occurring~~ protein lacks at least one functional activity of native XB3 selected from the group consisting of: ability to bind XA21, ability to be phosphorylated by XA21, and ubiquitin ligase activity.

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Canceled)